

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/622,789	07/18/2003	Yuen Chin Andrew Chen	HKPC/360/US	HKPC/360/US 3494	
2543	7590 07/19/2004		EXAMINER		
ALIX YALE & RISTAS LLP 750 MAIN STREET			ALEXANDER, REGINALD		
SUITE 1400 HARTFORD, CT 06103			ART UNIT	PAPER NUMBER	
			1761		

DATE MAILED: 07/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	0				
Office Action Summan	10/622,789	CHEN ET AL.					
Office Action Summary	Examiner	Art Unit					
	Reginald L. Alexander	1761					
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the o	orrespondence ac	ldress				
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period we Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	16(a). In no event, however, may a reply be ting within the statutory minimum of thirty (30) day rill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed s will be considered time the mailing date of this o D (35 U.S.C. § 133).					
Status							
3) Since this application is in condition for allowan							
Disposition of Claims							
4) ⊠ Claim(s) <u>1-16</u> is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 5) □ Claim(s) is/are allowed. 6) ⊠ Claim(s) <u>1-4 and 6-16</u> is/are rejected. 7) ⊠ Claim(s) <u>5</u> is/are objected to. 8) □ Claim(s) are subject to restriction and/or							
Application Papers							
9)☐ The specification is objected to by the Examiner	r,						
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
11)☐ The oath or declaration is objected to by the Exa	aminer. Note the attached Office	Action or form P	O-152.				
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priori application from the International Bureau * See the attached detailed Office action for a list of	s have been received. s have been received in Applicati ity documents have been receive (PCT Rule 17.2(a)).	on No ed in this National	Stage				
Attachment(s)	_						
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 	4)						
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date (2/29/03)	5) Notice of Informal P 6) Other:		D-152)				

Application/Control Number: 10/622,789

Art Unit: 1761

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 6, 8-10, 12-14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klawuhn et al. in view of Illy et al.

Klawuhn discloses a beverage brewer, comprising: a heating element 14; a pump 6; a flow selector 17, 24; a liquid reservoir 1; brewing chambers 34, 42; and a liquid pathway in communication with the pump, extending from the reservoir through the heater to the flow selector and into the brewing chambers.

Illy discloses that it is known in the art to use a microprocessor to control such elements as the pump and heater.

It would have been obvious to one skilled in the art to provide the system of Klawuhn with the microprocessor disclosed in Illy, in order to provide an automatic control of the device based upon preset user preferences.

In regards to claim 14, the brewing of tea is an intentional use. In regards to claim 16, it is stated at column 6, lines 59-63 that various types of pumps can be used.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art as applied to claim 1 above, and further in view of Pope.

Application/Control Number: 10/622,789

Art Unit: 1761

Pope discloses that it is known in the art to have a brewing chamber and suction tube arrangement. It would have been obvious to one skilled in the art to provide a brewing chamber of Klawuhn, as modified by Illy, with a suction tube as taught by Pope, in order to control the brewing time.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art as applied to claim 1 above, and further in view of Shaanan et al.

There is disclosed in Shaanan a beverage brewer having two brewing chambers 104, 106 and a single beverage container 110. It would have been obvious to one skilled in the art to modify the dispensing arrangement of Klawuhn with that taught by Shaanan and provide a single dispenser and beverage container, in order to provide an alternative arrangement.

Claims 11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art as applied to claim 1 above, and further in view of Naya et al.

There is disclosed in Naya a brewing device having a removable water reservoir, including a valve arrangement.

It would have been obvious to one skilled in the art to substitute the water reservoir of Klawuhn, as modified by Illy, with the water reservoir of Naya, in order to provide an alternative water reservoir.

Allowable Subject Matter

Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Application/Control Number: 10/622,789

Art Unit: 1761

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patent to Usherovich is cited for its disclosure of the state of the art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reginald L. Alexander whose telephone number is 571-272-1395. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on 571-272-1398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

rla July 12, 2004 Reginald L. Alexander
Primary Examiner
Art Unit 1761

Page 4